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Notice of Allowability

Application No.

09/762,589

Examiner

Dwin M. Craig

Applicant(s)

LUI, BASIL

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. This communication is responsive to 7-7-2005.
- 2. The allowed claim(s) is/are 1-3,5-7 and 19-21.
- 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- 4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- 6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1. Notice of References Cited (PTO-892)
- 2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5. Notice of Informal Patent Application (PTO-152)
- 6. Interview Summary (PTO-413), Paper No./Mail Date _____
- 7. Examiner's Amendment/Comment
- 8. Examiner's Statement of Reasons for Allowance
- 9. Other _____

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DETAILED ACTION

And

EXAMINER'S REASONS FOR ALLOWANCE

1. Claims 1-3, 5-7 and 19-21 are allowed.
2. Claims 4 and 8-18 and 22-24 have been cancelled.
3. The following is an examiner's statement of reasons for allowance:
 - 3.1 As regards independent claims 1 and 5, the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, "*calculating the enhanced generation recombination rate due to trap-to-band tunneling in a semiconductor device using the said simple exponential functions*". The Examiner notes that independent claims 1 and 5 contain numerous steps involving numerous variables to more accurately model the leakage current in a polysilicon Thin Film Transistor. It is further noted by the Examiner that in the case of claim 5 the Applicant is drawing structural support from the specification through the use of "*means for*" language, *See In re Donaldson Co.*, 16 F.3d 1189, 29 USPQ2d 1845 (Fed. Cir. 1994) and page(s) 1-7 and Figures 1-9.
 - 3.2 As regards independent claim 2, the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, The Examiner notes that the cited formula expressly disclosed in the amended claim 2 is neither anticipated nor made obvious by the prior art. The Examiner further notes that the terms of this formula are defined in Applicant's specification on page(s) 2-7 of the specification.

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3.3 As regards independent claim 3, the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, The Examiner notes that the cited formula expressly disclosed in the amended claim 3 is neither anticipated nor made obvious by the prior art. The Examiner further notes that the terms of this formula are defined in Applicant's specification on page(s) 2-7 of the specification.

3.4 As regards independent claim 6, the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, The Examiner notes that the cited formula expressly disclosed in the amended claim 6 is neither anticipated nor made obvious by the prior art. The Examiner further notes that the terms of this formula are defined in Applicant's specification on page(s) 2-7 of the specification.

3.5 As regards independent claim 7, the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, The Examiner notes that the cited formula expressly disclosed in the amended claim 7 is neither anticipated nor made obvious by the prior art. The Examiner further notes that the terms of this formula are defined in Applicant's specification on page(s) 2-7 of the specification.

3.6 As regards dependent claims 19, 20 and 21 they are allowed as they depend upon an allowed base claim.

3.7 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwin M. Craig whose telephone number is (571) 272-3710. The examiner can normally be reached on 10:00 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMC


Paul L. Rodriguez 9/29/05
Primary Examiner
Art Unit 2125